

COUNCIL FOR THE CITY OF SCRANTON

HELD:

Tuesday, March 30th, 2021

LOCATION:

VIA ZOOM

Maria McCool, RPR

Official Court Reporter

C O U N C I L M E M B E R S :

WILLIAM GAUGHAN, PRESIDENT

KYLE DONAHUE, VICE PRESIDENT

MARK MCANDREW

JESSICA ROTHCHILD

THOMAS SCHUSTER

LORI REED, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

KEVIN HAYES, COUNCIL SOLICITOR

(Pledge of Allegiance.)

MR. GAUGHAN: Would everyone please remain standing for a moment of silent reflection for our service men and women throughout the world and also for those who have passed away in our community.

Let us also take a moment of silence for all of the people in our community, in our country and throughout our world who have passed away from the COVID-19 pandemic. This pandemic has turned our world upside down. But we must remain hopeful and strong.

We continue to pray for the doctors, nurses, researchers and all medical professionals who seek to heal and help those affected and who put themselves at risk in the process, may they have protection and peace.

Whether we are home or abroad, surrounded by many people suffering from this illness or only a few, let us stick together, endure together, mourn together and in place of our anxiety let us have hope and peace. Thank you. Roll call, please.

MS CARRERA: Mr. Schuster.

1 MR. SCHUSTER: Present.

2 MS. CARRERA: Mr. McAndrew.

3 MR. MCANDREW: Present.

4 MS. CARRERA: Dr. Rothchild.

5 DR. ROTHCHILD: Here.

6 MS. CARRERA: Mr. Donahue.

7 MR. DONAHUE: Here.

8 MS. CARRERA: Mr. Gaughan.

9 MR. GAUGHAN: Here. An executive
10 session was held prior to our meeting tonight
11 to discuss potential litigation and personnel
12 issues.

13 MR. DONAHUE: I'd like to make a
14 motion to take from the table Resolution No.
15 134 of 2021.

16 MR. SCHUSTER: Second.

17 MR. GAUGHAN: There's a motion on
18 the floor and a second to take from the table
19 Resolution No. 134, 2021 and place it in
20 Seventh Order for a final vote.

21 This resolution pertains to the
22 appointment of police superintendent. On the
23 question? All those in favor signify by saying
24 aye.

25 MR. SCHUSTER: Aye.

1 MR. MCANDREW: Aye.

2 MR. DONAHUE: Aye.

3 DR. ROTHCHILD: Aye.

4 MR. GAUGHAN: Aye. Opposed? The
5 ayes have it and so moved. Please dispense
6 with the reading of the minutes.

7 MS. REED: THIRD ORDER. 3-A.

8 CORRESPONDENCE RECEIVED FROM KREDER, BROOKS,
9 HAILSTONE, LLP DATED MARCH 25, 2021 REGARDING
10 GEISINGER COMMUNITY MEDICAL CENTER.

11 MR. GAUGHAN: Are there any comments
12 on the Third Order item?

13 MR. SCHUSTER: Yeah, I'd like to
14 make one comment on it. Taking a look back to
15 2014, I'm not sure -- I see one of the quotes
16 there is that GCMC must have room to grow. And
17 I know there's a lot of property there that
18 have been purchased by the hospital.

19 Are these properties taxable once
20 they take them? I know that hospitals pay
21 taxes in some ways but certain types of
22 buildings fall under different categories. And
23 I feel like back in 2014 when they first
24 acquired the Audubon School, this wasn't the
25 same thing that they were saying at that point

1 in time. So I feel possibly their position has
2 changed unless my memory isn't correct.

3 MR. GAUGHAN: Anyone else?

4 DR. ROTHCHILD: I'm sorry, I just
5 want to make a comment as well. I believe
6 Councilman Schuster is correct because that's
7 the way that I remember things too that, you
8 know, this wasn't their plan initially. I
9 mean, I'm glad to have this update on, you
10 know, what they're looking to do with the
11 properties.

12 But I'll definitely be looking for
13 more information on this and what their plans
14 are as it can affect the neighborhood, the Hill
15 Section. That seems like a large space to me.
16 And I want to make sure that the neighbors
17 aren't negatively impacted or affected.

18 MR. GAUGHAN: Anyone else? If not,
19 received and filed. Any Council members have
20 any announcements at this time?

21 MR. MCANDREW: I have a quick one.
22 So now that the Scranton School District,
23 their instructional delivery model is switching
24 to hybrid, okay? The food distribution that's
25 normally taking place is going to change now.

1 So for the Scranton School District,
2 the food distribution will be on Wednesdays at
3 10:00 and 1:00 at West Scranton High School and
4 at the elementary schools at the same time.
5 Thank you.

6 MR. GAUGHAN: Thank you. Anyone
7 else? I have one, City Hall is going to be
8 closed this Friday, April 2nd in observance of
9 Good Friday. Mrs. Reed?

10 MS. REED: Thank you. FOURTH ORDER.
11 CITIZENS PARTICIPATION.

12 MR. GAUGHAN: At this time would
13 someone please make a motion to accept public
14 comment from the following individuals: Dave
15 Dobrzyn and Marie Schumacher.

16 MR. DONAHUE: I make a motion to
17 accept public comment.

18 MR. SCHUSTER: Second.

19 MR. GAUGHAN: There's been a motion
20 and a second to accept public comment. Mrs.
21 Reed, would you please read the comments into
22 the record?

23 MS. REED: Thank you. The first
24 submission is from Mr. Dave Dobrzyn as follows:

25 THIS AFTERNOON I PAID MY PROPERTY

1 TAXES AT THE SINGLE TAX OFFICE AND STOPPED TO
2 PAY TO PARKING. THE KIOSK WAS OBSCURED BY THE
3 SUN AND ONE NUMBER WAS INCORRECT. WHEN I
4 RETURNED I FOUND A TICKET FOR THIRTY FIVE
5 DOLLARS ON MY CAR, I IMMEDIATELY CALLED FROM MY
6 CELL AND WAS NOT ANSWERED BUSY OF COURSE.

7 I WENT OVER TO THE AUTHORITY AND WAS
8 TURNED AWAY TOLD TO REPLY ONLINE AGAIN NO
9 ANSWER ON THE PHONE. THIS IS NO MORE THAN AN
10 EXTORTION RACKET SET UP BY SHYSTERS AND VOTED
11 IN BY INCOMPETENT COUNCIL MEMBERS WITH THEIR
12 ILL ADVISED AGENDA. THE AUTHORITY COULD HAVE
13 CORRECTED IT THERE BUT BY THEIR RULES EVASIVE
14 AT BEST I MUST TOLERATE MORE OF THEIR
15 OBFUSCATIONS AND COULD INCUR FURTHER EXPENSE
16 THIS MAKES ME VERY ANGRY I HATE BEING HAD.

17
18 FURTHERMORE WITH THESE DOWNTOWN
19 BUILDINGS BEING CONVERTED TO RESIDENTIAL THE
20 TOWN IS ALL PARKED UP AFTER 5 PM. MAKING
21 PICKING UP ORDERED FOOD A CONUNDRUM I THINK
22 ITS HIGH TIME THAT IF THIS IS TO CONTINUE IT
23 WILL PROBABLY AFFECT THEIR ACCESS TO BUSINESS
24 AND DEVELOPERS SHOULD BE REQUIRED TO ADD
25 PARKING GARAGE FEES AND TENANTS REQUIRED TO

1 PARK THERE.BUONA PIZZA HAS BEEN TREATED CRUELLY
2 IN THE PAST DESPITE A 50 TH ANIVERSARY SIGN IN
3 THEIR DISPLAY DURING THE 500 BLOCK RENOVATION.
4 I WILL ALSO NOTE THAT MOST ARE STILL
5 EMPTY.EMINENTT DOMAIN ABUSE IS MY OPINION AND
6 THEY PROBABLY PAY THEIR TAXES NOT LIKE MOST SO
7 CALLED DEVELOPERS. TAX FREE COUNT THEM IN.

8
9 IN MY LAST COMMUNICATION I ASKED FOR
10 AN E-Mail ON TRASH FEES ORDINANCE I AM NOT
11 CONCERNED WITH TIMELY PAYMENT I WAS MORE
12 INTERESTED IN NOT HAVING THE FEE ATTACHED TO
13 LTS WITH NO DWELLING BEING ATTACHED ADDING A
14 \$300 FEE ATACHED TO MY UNOCUPIED PROPERTY.THE
15 MORTGAGE HOLDER REFUSED TO OFFER CONSOLIDATION
16 AND I WOULD BE STUCK WITH ADDITIONAL TAX ON A
17 NON DEVELOPABLE PROPERTY TRASH FEE.

18
19 MS. REED: The second submission by
20 Marie Schumacher as follows:

21 I again request the same monthly
22 report of how many LERTAs have been requested
23 and approved

24
25 The 5B Emergeny Certificate states

1 the necessity is required to ensure compliance
2 with the Grant deadline of March 30. My
3 question to you is when was this Grant awarded
4 as it seems an certificate should not have been
5 necessary.

6
7 As to 6B I believe this is
8 Governmnt over reached and should not even be
9 on the Agenda, let alone an Ordinance. Parents
10 have rights you know,

11
12 The photo of the Municipal Building
13 entrance stained glass windows removal brings
14 back the question, long overdue I may add, of
15 when will it be decided what will be done with
16 this Building. When will this decision be
17 forthcoming.

18
19 (Concludes public comment letters as
20 submitted to Council.)

21
22 MS. REED: And that is all. Thank
23 you.

24 MR. GAUGHAN: Thank you, Mrs. Reed.
25 On the question? On the question, I want to

1 thank Mr. Dobrzyn and Miss Schumacher for their
2 comments and questions. Miss Schumacher posed
3 a few questions regarding the monthly report of
4 how many LERTAs have been requested and
5 approved which we will ask for. But I know as
6 of February of this year, it's been a total of
7 six that have been requested and approved.

8 As for the emergency certificate
9 agenda Item 5-B, the multimodal -- or GCMC
10 project, I asked why that had come down with an
11 emergency certificate. As everyone knows
12 it's -- I don't like emergency certificates
13 unless it's truly an emergency because, you
14 know, I know that we all like to take our time
15 and review things.

16 The solicitor -- one of the
17 solicitors for the City, Jessica Eskra replied
18 that they received the proposed plans from GCMC
19 late last month. After that time, the City
20 Planner, the City Engineer and DPW all had to
21 review and sign off on the plans before
22 proceeding.

23 So she requested that legislation be
24 expedited. But they were up against the March
25 30th deadline. The grant that GCMC received

1 was in the amount of \$300,000. We did not get
2 an answer yet as to when exactly that grant was
3 rewarded.

4 As for City Hall and what's going to
5 be done with the building when will that
6 decision be forthcoming, I don't have the
7 answer to that question. There's a lot of
8 variables that go into that.

9 One of the issues that we talked
10 about Miss Schumacher months and months ago
11 well into last year was the fact that it was
12 going to be hard for the City to come with up
13 additional funding for all of the items that
14 were identified in the report, you know,
15 detailing the issues with City Hall because it
16 is a very old building and needs some upgrades.

17 That conversation now obviously has
18 changed with the funding that we are going to
19 receive from the federal government, the
20 American Rescue Plan. So we have to see if we
21 could use some of -- potentially use some of
22 that funding for infrastructure and, you know,
23 I'm going to go out on a limb and assume that
24 we may want to invest some of those dollars as
25 a match to a grant in some other ways to

1 improve the building so that it lasts another
2 150 years.

3 Anyone else on the question? All
4 those in favor signify by saying aye.

5 MR. SCHUSTER: Aye.

6 MR. MCANDREW: Aye.

7 MR. DONAHUE: Aye.

8 DR. ROTHCHILD: Aye.

9 MR. GAUGHAN: Aye. Opposed? The
10 ayes have it and so moved. Okay. We have --

11 MS. REED: FIFTH ORDER. 5-A.
12 MOTIONS -- oh, excuse me, I'm sorry. Pardon
13 me, Councilman.

14 MR. GAUGHAN: That's okay, Lori.
15 We have a few guests tonight. So we do have
16 MKSD. They were here about a month ago. They
17 were the firm that was doing the analysis on
18 the Nay Aug Pool. We learned a month ago that
19 obviously there were some issues at Nay Aug
20 Pool.

21 So they were looking over the last
22 30 days at different options, which they're
23 going to present tonight on how the City should
24 move forward. So we have representatives from
25 MKSD. I know we have Director Cipriani from

1 the Office of Economic and Community
2 Development.

3 We have Tom McLane who is doing our
4 park study for the City. And we also have Bob
5 Gattens who is the Chairman of the Recreation
6 Authority and Paul Kelly who is the Solicitor
7 for the Recreation Authority. So I'll turn it
8 over to all of you.

9 And if you want to share your screen
10 and we'll go through this presentation. Thank
11 you.

12 MR. CHAMBERS: Thank you,
13 Councilman. We appreciate having the
14 opportunity to present the study to you
15 tonight. In order to be efficient with
16 everyone's time, we're going to turn it over
17 directly to George Deines from
18 Counsilman-Hunsaker.

19 MR. DEINES: Good evening everyone.
20 It's a pleasure to be with you tonight as we
21 progress through our study on Nay Aug Park swim
22 pool. As we, you know, mentioned a few weeks
23 back, we did our initial assessment on the
24 existing pool and found that, you know, due to
25 its physical condition we would recommend a

1 complete replacement.

2 We did put together a budget, you
3 know, for renovation, you know, just to get you
4 through I know a few seasons to open up safely.
5 But what we're looking and focusing on tonight
6 is, you know, what are some different options
7 for the replacement of the pool. And so, you
8 know, we're right here in the middle of our
9 study.

10 We pretty much finished the needs
11 assessment. And now we're looking at the
12 facility program and space requirements, you
13 know, what is the right sized pool for this
14 park, what type of amenities and the
15 corresponding costs that come with that.

16 Since the time that we last met, we
17 have launched a community survey via the City,
18 sent it out through multiple channels. We had,
19 you know, a little over 200 responses to date.
20 And we captured some information just to see
21 who was responding to the survey.

22 We found about 70 percent lived in
23 one of these two zip codes surrounding Nay Aug
24 Park either the 18510 or 18505. We also found
25 out about 60 percent of the respondents had

1 children under the age of 18. And so that, you
2 know, tells us that we had a high level of
3 responses from people who actually used the
4 pool.

5 Summer recreational facilities like
6 this are typically for, you know, families with
7 young children. You know, we had about 60
8 percent of the responders say that they had
9 visited Nay Aug Park pool within the past
10 couple of summers.

11 Most of them had done that for
12 recreational purposes. We also found that, you
13 know, people -- the survey respondents as you
14 see here, this top graph wanted, you know,
15 shallow water, deep water, locker rooms,
16 community aquatic programs, changing tables
17 ranked five which is this orange line that most
18 (audio interruption) competitive pools actually
19 ranked fairly low.

20 You know, Nay Aug Park pool has not
21 been used, you know, for competitions in some
22 time. So that did not necessarily surprise us.
23 And so we also had an open-ended comment box.
24 And I pulled just a snapshot of some of the
25 comments that we received, you know, I live

1 within walking distance of the park. My kids
2 used to spend all summer there at the pool with
3 their friends. We truly miss it.

4 It needs to be affordable and
5 accessible for the average middle class family.
6 Keep it simple. Please save our pool. So we
7 did have a lot of strong support for, you know,
8 a facility staying within the park.

9 And then the other thing that we're
10 doing right now which is looking forward to our
11 next phase which is the operations plan as we
12 move through the study as we're looking at not
13 only the demographics, you know, age
14 distribution, market area income, population
15 within the City.

16 But then we're also looking at, you
17 know, what other pools does the City of
18 Scranton have but then what other surrounding
19 communities have and how will those affect, you
20 know, the visitation rates for renovated or
21 replaced Nay Aug Park pool.

22 And so you could see that there is
23 some density of facilities here. But some of
24 these are indoor facilities that don't
25 necessarily compete, you know, with an outdoor

1 seasonal facility.

2 And so as we started to look at the
3 options, we had been working with the City's
4 project team and, you know, using the survey
5 results and using our experience and MKSD's
6 experience throughout the State of Pennsylvania
7 to come up with a couple of different options
8 for consideration.

9 And so the first one I wanted to
10 provide is mainly just a baseline, you know,
11 what if we just replaced the slide pool. You
12 know, we had that number last time about 1.6
13 million dollars that would be for the
14 renovation of the pool.

15 What if we actually replaced the
16 pool, demolished it and replaced it, reuse the
17 existing water slide tower, reuse the existing
18 support building, build a new mechanical
19 building. We could see that in the 5.7 million
20 dollar range. So that just gives you a
21 baseline of, you know, to keep the existing
22 size pool.

23 But again, no real functionality
24 change with that. You know, the City and Rec
25 Authority have long talked about incorporating

1 a spray pad where the existing deep pool is.
2 And so we wanted to look at that as an option
3 as well as a standalone option. So this would
4 include not only, you know, a nice sized spray
5 pad like you see here within a renovation of
6 the bath house, you know, addition of shade, a
7 new pool mechanical building. And we see that
8 budget in that 4.9 million dollar range.

9 If we just wanted to do the spray
10 pad and keep the existing building, you know,
11 we probably want to budget about 2 and a half
12 to 2.8 million dollars for that spray pad. But
13 a lot of the cost with the spray pad, it's not
14 just the size of the pad itself but these
15 vertical elements and this, you know, little
16 multilevel, I don't know, play structure that
17 you see.

18 And so spray pad cost can vary
19 wildly just based upon, you know, what size
20 footprint you use but then also the different
21 types of vertical elements that you would
22 incorporate. And so then we also looked at
23 what if we replaced it with a more modern
24 family aquatic center.

25 And so we did a couple different

1 things here. The first is that we had a
2 roughly 6800 square foot main leisure pool
3 where we could hopefully tie in the existing
4 water slides into a sectioned off catch area.

5 We have zero depth entry. We have a
6 small current channel slash lazy river. We
7 have a 3,000 square foot spray pad. And then
8 we also have a -- well, deep water was one of
9 the things that ranked highly on the survey.
10 And so this has a small slide. It's got a
11 climbing wall as well as a diving board.

12 And so when we add this together,
13 this is about the size -- a little bit larger
14 than the existing slide pool. So, you know,
15 it's in that 12,000 square foot range. We're
16 showing -- actually right around 12,000 square
17 feet so just about the same size.

18 But, you know, we see that there's
19 different zones. So it's a little more
20 multigenerational. It's got easy access with
21 the zero depth entry. It's got the spray
22 element for the younger kids. But then it also
23 has some amenities for, you know, that 10 to 15
24 age range with the deep water pool.

25 And then when we cost this out we

1 look at not only the construction cost for the
2 building for the shade for the deck but then
3 obviously the pool components and all of the
4 amenities. We also add in some development
5 factors for, you know, a year of escalation
6 project fees from design team surveys
7 permitting.

8 And then we also carry a contingency
9 allowance. And so when we start to add all of
10 those together, that comes out to about 8.8
11 million dollars for a facility of this size.

12 MR. GAUGHAN: George, this is Bill
13 Gaughan. Quick question on that, within
14 that -- I might be getting ahead of myself.
15 But within that number does that -- are you
16 also accounting for if the City were to go with
17 like, for example, this option, does that
18 account for ongoing maintenance costs?

19 Like, how much -- let's say that,
20 you know, this was built; how much would this
21 cost to maintain and run every year?

22 MR. DEINES: So that is actually the
23 next step in our process is to develop those
24 annual budgets, you know, the personnel for
25 lifeguards, for chemical usage, utility cost

1 for pumps and motors as well as annual
2 maintenance as well as long-term deferred
3 maintenance as well.

4 MR. GAUGHAN: Okay. Great. Thank
5 you.

6 MR. SCHUSTER: George, when it comes
7 to operations, what is more efficient or
8 cheaper to run, a regular pool or the splash
9 pad area?

10 MR. DEINES: Typically it's going to
11 be the splash pad area is going to be much more
12 efficient. Number one is that this is a wet
13 deck. And so it doesn't necessarily have to be
14 life guarded if it's just out in a park and
15 it's free and available. We typically see that
16 those are not life guarded.

17 But if it's contained inside a
18 facility, we usually see that, you know, you
19 would at least have one lifeguard that, you
20 know, is walking around the perimeter of the
21 spray pad just to make sure that the kids don't
22 run or they're there in case something happens.

23 But, you know, you take this body of
24 water and it could be, you know, 200,000 plus
25 gallons, whereas the spray pad might only be a

1 16 to 30,000 gallons. And so it would be
2 more -- it's more cost effective to run the
3 spray pad than the pool.

4 MR. MCANDREW: I have a quick
5 question. I got this presentation late via
6 e-mail so I didn't get a chance to look at it a
7 lot. I'm glad you're going through it. So
8 when you look at option one, 8.8 million
9 dollars, you said you're going to propose or
10 actually provide an annual budgetary expense be
11 it, you know, be it staffing and everything
12 else.

13 So -- and I know the survey was a
14 great idea. But did anybody survey the parents
15 and say how much are you willing (audio
16 interruption.)

17 MR. GAUGHAN: Oh, I think Mark
18 froze.

19 MR. MCANDREW: -- what the costs
20 are?

21 MR. GAUGHAN: Mark, you froze there
22 for a minute. So we lost you.

23 MR. MCANDREW: All right. I don't
24 know where you lost me. But I just don't
25 understand how this would be affordable to the

1 average child in the City. This isn't like a
2 water park we're looking for. We're looking
3 for a pool.

4 I know every year kids can't even
5 afford to come without vouchers that are given
6 out. So how is this sustained financially?
7 That's a concern of mine. And how is it
8 affordable to the average child in the City?

9 MR. DEINES: And, yeah, so with our
10 next step we'll come up with some proposed
11 rates. What I will say is that we always
12 account for a certain level of free admissions.
13 And that's typically, you know, based on maybe
14 its levels of income or if Parks and Rec or
15 the, you know, the Rec Authority has the
16 ability to do that, then we always recommend
17 having, you know, the reduced admission for
18 those who can't afford or the vouchers.

19 Like you mentioned, we also have
20 seen partnering with local businesses to do
21 sponsorships for swimming lessons and for, you
22 know, at risk children because we know, you
23 know, according to drowning statistics that,
24 you know, if a family -- I think it's USA
25 swimming, states that 79 percent of the

1 children that are under -- that live in homes
2 through the age of 18 that the family makes
3 less than the, you know, median household
4 income of 53,000 that they are less likely to
5 ever learn how to swim.

6 And so we want to be sure that we do
7 make it affordable to those kids. And then
8 also, a lot of it comes down to the
9 philosophical vision of the City about, you
10 know, what is the right subsidy level. And so,
11 you know, in terms of percentage or in terms of
12 annual dollars.

13 And so we can -- we could look at
14 that and, you know, we can shrink these options
15 down to make them more cost effective
16 long-term. We'll just look at other ways to
17 help, you know, make the facilities sustainable
18 for the city.

19 MR. GATTENS: If I could just jump
20 in for a second, one of the things the Rec
21 Authority is looking at is somewhat with what
22 the school district with sponsorships for the
23 score board and stuff like that. But we're
24 negotiating with one or two right now to see if
25 they'll sponsor the splash pad to offset the

1 cost.

2 And hopefully, you know, with the
3 grace of God we could make it to where it's
4 free at least to City residents. Outside of
5 the City or people come to visit from out of
6 state or anything would probably have to pay a
7 small fee. But it would be no more than the \$5
8 they're already -- to get into the pool
9 complex.

10 MR. MCANDREW: That's a good idea,
11 Bob. Thank you.

12 MR. DEINES: And then some, you
13 know, representative images just to give you an
14 idea of what some of these spaces could look
15 like, you know, we have a zero depth entry and
16 open water area. We have a small current
17 channel like over in Chambersburg.

18 You know, there's a different -- a
19 couple different types of deep water amenities
20 from the diving boards, the climbing wall and a
21 couple different types of water slides.

22 And then the spray pad, you know, as
23 you can see has different types of vertical
24 elements and tipping buckets and (inaudible.)
25 Those are some representative images to, you

1 know, show you what those spaces look like in
2 other facilities that we've designed.

3 The second thing that we looked at
4 in terms of, you know, a completely (audio
5 interruption) would be to increase the size of
6 the splash pad and then decrease the size of
7 the pool so making sure that we allow for the
8 reuse of those existing water slides into a
9 catch area and still maintain some, you know,
10 open water area, a zero depth entry.

11 This is a lilly pad floatable walk.
12 And then we have that larger -- larger spray
13 pad. And so the tradeoff was a little bit
14 larger spray pad but then less water surface
15 area for the pool. And when we costed this
16 out, it came to about 7.6 million dollars.

17 And then the third option in talking
18 with the project team over the past couple of
19 weeks was to have that large signature spray
20 pad and, you know, do our best to reuse those
21 existing slides and just provide a catch pool
22 for the existing water slides.

23 And so this you have, you know, two
24 amenities at the pool you have existing water
25 slides into a catch pool and then you would

1 have the new spray pad. So this one is
2 obviously the least amount of surface area for
3 water. So it would have the least amount of
4 cost and that came in about 5.5 million
5 dollars.

6 MR. HEWES: George, if I can
7 interrupt for a second, George? This is Nick
8 from MKSD. Just I also want to point out that
9 all of these budget numbers and images that you
10 are seeing, they also include an enlarged
11 bathhouse, a pump house.

12 And also, we're showing a pavilion,
13 you know, for some shade possibly so that could
14 be rented out as a -- or potential for income
15 for the facility if that's something that the,
16 you know, City would desire.

17 But these budget numbers do include
18 those support facilities as well not just the
19 spray pad and the pools.

20 MR. GAUGHAN: And we're just looking
21 at where the slide is. We're not talking about
22 the other pool that's going to be filled in,
23 correct?

24 MR. DEINES: That is correct. We've
25 placed all these concepts, you know, obviously

1 on the existing site, you know, primarily for
2 size and scale. We were using that existing
3 water slide tower. It's really the one thing
4 that had to stay. So we had to design the
5 pools around that.

6 You know, we could obviously come
7 out this way a little bit more. We could push
8 this way some too. But, yeah, overall it's
9 using about half of the existing insides of the
10 pool complex, you know. By the time you would
11 measure this out it's going to be, you know,
12 about one and a half times the size of the
13 existing slide pool, maybe two times. So to
14 give you a -- you know, a feel for the size and
15 scale of the concepts that we're showing.

16 MR. GAUGHAN: Okay.

17 MR. SCHUSTER: George, this was a
18 question I asked last week. The more objects,
19 if you will, that are on the splash pad and
20 around the pool, the more maintenance there is
21 there with those items, you know what I mean,
22 the more things there are to break as opposed
23 to just having a pool.

24 Who would -- who plans on
25 maintaining all of this? Is that going to be

1 on the City? Is that going to be the Rec
2 Authority? Are we using certain companies to
3 replace these items when broken?

4 And then when we're looking at that
5 cost of yearly operations, is there a
6 percentage added in there for, you know, broken
7 pieces and replacement parts?

8 MR. DEINES: Correct. Yeah, so when
9 we do develop our budgets here over the next,
10 you know, week and a half, we'll have those
11 allocations for the number of -- you know,
12 based on the number of amenities and the size
13 of the overall facility.

14 And at this point, yeah, I think
15 I'll defer maybe to Eileen about, you know, if
16 it's the City or the Rec Authority who would,
17 you know, be the actual order and maintainer of
18 the facility.

19 MR. GAUGHAN: Can I just say one
20 thing real quick? I just know from going to
21 different splash pads and things that they're
22 relatively maintenance free in terms of, you
23 know, you take your kids there and they get
24 wet.

25 I mean, there's -- I've never seen,

1 you know, I guess you could damage them if
2 there's things that are sticking up. But
3 relatively speaking they're pretty much
4 maintenance free in terms of, you know, there's
5 just water that comes out of the holes and
6 things like that. So it's not -- am I correct?

7 MR. DEINES: That is correct, yeah.
8 There's a lot of maintenance that goes on
9 obviously behind the scenes. But for the most
10 part, you know, those spray pad elements are
11 very durable and have a really good lifespan,
12 you know, because they're built and constructed
13 to face the elements and face the kids, right,
14 that are running and having a good time on the
15 spray pad elements.

16 MS. CIPRIANI: And, George, just a
17 quick question in regards to chemicals for the
18 spray pad, are there chemicals used to keep the
19 water clean in the spray pad and obviously if
20 there were (audio interruption) less.

21 MR. DEINES: Right (audio
22 interruption) on spray pads, you could do a
23 passthrough system which is essentially, you
24 know, like a water hose. It goes up and it
25 comes down and it goes away.

1 But the way that we design them,
2 they're all on their own, you know,
3 recirculation systems with ultraviolet light
4 technology that kills any type of recreational
5 water illnesses.

6 And so it's essentially a miniature
7 pool. The pool is just underground and then,
8 you know, the feature (inaudible) pool of water
9 from underground and then spray it up and then
10 there's a gutter in the middle and along the
11 edges that would collect water and send it back
12 to be treated and then spray it up.

13 DR. ROTHCHILD: I have a quick
14 question. I was wondering what age groups
15 usually would utilize a splash pad and in the
16 survey of -- that the residents did, did it ask
17 what age the children of the household were?

18 MR. DEINES: We did ask that on the
19 survey. Let me get back to the bullet points
20 there. So close to 60 percent of the
21 respondents had children under the age of 18
22 living in their household. And we typically
23 find that a spray pad will cater anywhere from
24 ages 1 up to, you know, 10, 11 or 12.

25 And a lot of time if it's a larger

1 spray pad like that, we might even try to zone
2 it so you have more little kid amenities and
3 then some larger kid amenities just to keep
4 them, you know, a little bit separated so the
5 11 years olds aren't getting too excited around
6 the 3 year olds.

7 But we would see having that 1 to 10
8 to 12 year old, you know, that age range of
9 children.

10 MR. MCLANE: If I could ask a quick
11 question, the above ground amenities, the
12 towers, the palm trees, you know, all of those
13 crazy good looking stuff that you have there,
14 do they get taken out in the winter time or do
15 they get covered? We have some pretty harsh
16 conditions here in some winters.

17 I'm just wondering, that would be a
18 level of maintenance that the City would have
19 to take if they needed to be taken down and
20 stored inside or something.

21 MR. DEINES: I think that it varies
22 on region. You know, we have some folks that
23 will take those down just to avoid, you know,
24 the UV rays over the course of that, you know,
25 September 30th to April 1st timeline. And

1 then, you know, so they're not affected by the
2 weather.

3 Others leave them in. So it's
4 typically the discretion of the operator
5 whether they do that. I would say with the
6 size of the spray pad, you know, that we're
7 showing that, you know, I think it would be a
8 tall task to remove all of those elements.

9 So you probably would leave them up
10 and then, you know, just winterize the system,
11 blow all the lines out so you don't have any
12 water freeze and crack the pipes here in the
13 wintertime.

14 MR. MCLANE: And last question, I
15 think at some point someone is going to ask
16 what the life expectancy of this is of the
17 improvements.

18 MR. DEINES: Sure. And so we would
19 see the lifespan of the new outdoor aquatic
20 facility, you know, being in that 25 to 30 year
21 range. And so we design our facilities, you
22 know, with that expectation in mind.

23 MR. SCHUSTER: And thanks, Mr.
24 McLane, because I was going to ask that next.
25 With taking these items in and out, does that

1 increase the lifespan of these objects and
2 these items?

3 MR. DEINES: You know, that could
4 actually go one way or the other. You know,
5 the more times you pull something out and put
6 it back, you know, we can see that it could,
7 you know, possibly damage the threads or, you
8 know, however they're put back together.

9 So we probably defer to the
10 manufacturer's recommendations and, you know,
11 look for some other comparable facilities, you
12 know, within the area to see what their best
13 practices are.

14 MR. SCHUSTER: Yeah, that's kind of
15 what I was including in that damage of these
16 things, you know, regular average wear and tear
17 and motors on things and then, you know what I
18 mean, possibly taking them in and taking them
19 out. And back to the maintenance question, so
20 you deferred over to Miss Cipriani. So who
21 would be in charge of maintenance of the
22 equipment?

23 MS. CIPRIANI: Well, I'm assuming
24 typically, Bob, correct me if I'm wrong, that
25 the City has been performing maintenance up at

1 Nay Aug Park historically.

2 MR. GATTENS: Yes, for the most
3 part, yeah. In the last couple years before
4 the pool was closed, we worked hand in hand
5 with the costs and stuff. I mean, naturally it
6 was an exorbitant -- I mean, the City did it.
7 But I could see this being more of a
8 partnership this time going through.

9 And going back -- let's take a back
10 step. I reached out to the different water
11 pads across the country. In the Northeast and
12 we'll say the upper midwest and everything, a
13 lot of these places have tarps specially made
14 to cover the equipment so it is covered in the
15 winter months.

16 And it proves effective to stop the
17 fading and everything. So, I mean, it's
18 something we -- if this is the route we're
19 going and everything, I think we should look at
20 doing. It wasn't an exorbitant cost to have
21 these things made, but they felt it did extend
22 the colorization of the items for a longer
23 period.

24 MR. SCHUSTER: Yeah, thank you.
25 That would make sense.

1 MR. GAUGHAN: Is there more to the
2 presentation, George?

3 MR. DEINES: The only other thing I
4 had here -- let me see at the end -- was a
5 quick, you know, summary chart that showed the
6 range of cost for the various options that we
7 looked at so far, you know, five of the six
8 would include new construction. Two of them
9 would include zero depth inch pool.

10 Five of the six would have the --
11 either the existing water slide tower or a new
12 water slide tower. And then I have the
13 capacity here listed at the bottom. You know,
14 that's one of the big questions that we get is
15 how many people could we expect which is our
16 next step is to project that out.

17 But then how many people can the
18 facility actually hold, and so, you know, with
19 the existing pool, just that slide pool would
20 have a capacity of, you know, close to 500.
21 And, you know, option 1 and 2A that have the
22 pool and the spray pad combined would have
23 capacity of a little over 400, while just the
24 spray pad and then the smaller pool would be in
25 that, you know, essentially 250 people so just

1 to give you an idea of the capacity levels at
2 one time.

3 You know, and this is based on the
4 water surface area. And it's meant to be a
5 holding capacity, not a sardine capacity,
6 right? We want to make sure that we, you know,
7 it meets all of the codes and regulations. But
8 we typically like to be a little bit more
9 conservative. And we could push -- you know,
10 put in one person for every 15 square feet of
11 water.

12 But we typically like to plan on one
13 for every 25 square feet of water. That way,
14 you know, it's more of a operational capacity,
15 not a technical capacity.

16 MR. GAUGHAN: I have just a comment
17 and then a few questions. You know, first of
18 all, thanks for the presentation. I thought it
19 was great. To me this isn't -- this is not
20 just a pool, Nay Aug Pool. This is a landmark
21 in our city.

22 This is the -- one of the biggest if
23 not the biggest asset that we have in the City
24 of Scranton. As I mentioned to you last month,
25 I'm up here with my children all the time

1 walking around the park. And it is used. It's
2 got to be one of the most used parks in our
3 city.

4 And I don't think that we should cut
5 corners here. I think this is a once in a
6 lifetime opportunity to make our mark and make
7 this not just a pool but a destination for the
8 people of our City.

9 And quite frankly, I think our
10 children deserve it. I used to work at
11 Shooky's that was next to the pool when I was
12 in high school and college. And there was
13 hundreds and hundreds and hundreds of kids up
14 there every day and parents and families.

15 And, you know, they would eat. They
16 would go on the rides. They would go in the
17 pool. And it was nice to see. And we've seen
18 that since then over the last few years. So
19 Nay Aug Park to me is someplace that you might
20 look at that price and it is a sticker shock
21 8.8 million. It's a lot of money.

22 But -- or whatever amount -- option
23 the City ends up going with. But I don't think
24 we should choose an option just because let's
25 put a pool in there and fill it with water. To

1 me, this is let's look at the big picture
2 because I know that we're trying to attract
3 people to our City.

4 And any family -- any young
5 family -- I have four little children. If
6 you're looking to go someplace or you're
7 looking to relocate, you're looking at the
8 parks. You're looking at what kind pools do
9 they have, what kind of amenities do they have
10 among other things.

11 But that's to me is very, very
12 important. So I really don't think we can
13 shortchange ourselves. Again, I know it's a
14 sticker shock with the 8.8 million and it is a
15 lot of money. But this to me needs a complete
16 overhaul. As we mentioned 30 years ago, Mayor
17 Walsh had a vision and, you know, put a lot of
18 work and there was a lot of thought put into
19 it.

20 And that was the premier destination
21 which it remained for a long period of time. I
22 just think this is an opportunity for the City
23 to make an investment. And I really think we
24 should. And we should think long and hard,
25 you know, at all of these options.

1 But I would tend to go with, you
2 know, making a splash, no pun intended. So
3 that's my feeling on it. So I just have three
4 questions. And this will probably go for
5 Eileen or anyone else that is here from the
6 administration.

7 Have you formulated a plan yet on
8 how the City will fund these improvements? We
9 all know that something has to happen up here
10 to make the facility operational. So is there
11 a plan in place yet or a plan being formulated
12 to fund these improvements?

13 MS. CIPRIANI: Councilman, we are
14 talking about that and working on that. So
15 there's really three parts to this. One would
16 be the demolition cost. And we're waiting to
17 hear back from the prospective bidders. We
18 have a bid out for demolition. So we'll know
19 those numbers shortly.

20 And George has included design in
21 his costs already. So there is really three
22 components. There's demolition, design and
23 then construction. So now that we have this
24 information, we could sit down -- and
25 especially with your input, the citizens' input

1 and try and formulate a plan about what we
2 could do.

3 Looking at this, this does give us a
4 lot of opportunities, right, because, you know,
5 these prices 8.8 million is big. But we could
6 reduce the size of pools, change out amenities
7 however we best see fit. So we want to take
8 this, digest it and go back to the
9 administration and talk about it.

10 MR. GAUGHAN: Great. And in
11 terms -- I don't know if you will be able to
12 answer this. But in terms of a timeline, do
13 you think that the pool or do you think there's
14 an opportunity that we'll have a pool at Nay
15 Aug Park next year all things considered?

16 MS. CIPRIANI: Well, that's another
17 part we have to discuss because we also, you
18 know, with the design part, design has to be
19 accomplished before construction. It would be
20 a matter of how we were able to line up our
21 funding to do this going forward.

22 It would be a tight timeline though.
23 I do have to say that. I mean, maybe George or
24 Nick or Todd could weigh in on generally on a
25 timeline of projects such as this.

1 MR. CHAMBERS: Yeah, I will say that
2 having a pool open for summer of '22 looks
3 unlikely or a new pool I'll say. You know, we
4 have design time. Permitting will come into
5 play. There's a significant environmental
6 permit that will probably be required depending
7 on the amount of disturbance of land in the
8 park.

9 And then, of course, construction,
10 you know, is probably the better part of the
11 year. The fastest you could get it done is
12 probably nine months for just the construction
13 period. So probably more realistically the
14 inaugural season for a new pool at Nay Aug
15 complex would be 2023.

16 MR. GAUGHAN: Okay. Thank you. My
17 last comment on this as Eileen said, to me this
18 is a huge opportunity. I mean, for -- I think
19 really and I know we'll go for federal funding,
20 for state funding. Everyone in this area knows
21 how important Nay Aug Park is to the City of
22 Scranton.

23 So if we're going to invest dollars,
24 you know, we should really go hard at federal
25 government and the state government for grant

1 funding which I know we will. And I personally
2 am more than happy to help in any way and be
3 involved in these conversations because like I
4 said, I don't think we should shortchange
5 ourselves here.

6 I think that we really should try to
7 make the biggest difference because ultimately
8 our children in the Hill Section, Minooka,
9 South Side, North Scranton, all over the city,
10 they deserve it.

11 They deserve a premier place to go
12 and enjoy themselves. And I look at this in
13 the context too of the pandemic. You know, our
14 children and our families have gone through the
15 worst year in recent memory. So to me, this
16 would be something really, really nice to do
17 for the people in our City.

18 And again, it's an investment in the
19 park which I think we have to make. So that's
20 all I have. Anyone else have any questions or
21 comments?

22 MR. SCHUSTER: I just have one thing
23 after the discussion about the pool when that's
24 over, can Mrs. Cipriani stick around for -- I
25 just had a question on some grants.

1 MR. GAUGHAN: Sure. Anyone else on
2 the Nay Aug Pool?

3 DR. ROTHCHILD: Yes, I just had a
4 couple quick comments. I, you know, I have to
5 agree. I mean, this is in my neighborhood.
6 And I just had a baby. So she's too young I
7 think to take to the pool just yet. You know,
8 I look forward to eventually taking her there.
9 And I have really fond memories of when I was a
10 child I didn't grow up in Scranton.

11 But where I did grow up I, you know,
12 we had a great pool. There were several pools.
13 There was a diving pool. There was a pool
14 where you could do laps. There was a, you
15 know, a shallow area for very young children.
16 And, you know, I learned to swim there.

17 And I would certainly want the same
18 thing for our kids in Scranton. And, you know,
19 I just think if we're going to spend almost 6
20 million dollars anyway, you know, I think it
21 really should be accessible to a lot more than
22 just children, you know, say younger than 10 to
23 12 years old because, you know, I think it
24 could be utilized like with the aquatic classes
25 throughout the years, you know, people in their

1 60s, 70s I'm sure would enjoy using the pool
2 too.

3 So I really hope that we would make
4 this, you know, as good as we can. But I
5 realize that is a lot of money. So, yeah, I'd
6 agree with Mr. Gaughan's comments on that.
7 Thank you.

8 MR. GAUGHAN: You know, I want to
9 piggyback on one thing that you said. And I
10 think Bob Gattens will agree with me as the
11 Chairman of the Recreation Authority. The
12 one thing I can't stand -- and I'm sure there
13 will be some people who say, you know, you're
14 going to put these new things up here and
15 someone is going to ruin them or destroy them
16 or whatever.

17 I hate when people look at it that
18 way. Like, you know, we should be able to have
19 nice things in the City. We have a park across
20 the street from my house that the City invested
21 a ton of money in through CDBG grant funds. I
22 don't see any wear and tear on that park.
23 There's no -- no one has vandalized it because
24 all the neighbors have bought in over here.

25 So we are able to have nice things.

1 And again, that's one thing that you do hear
2 when anybody in the City wants to do something
3 nice for a park. I've seen that over my tenure
4 on Council, why you would do that, someone's
5 going to ruin it. Well, let's -- we're putting
6 the cart before the horse.

7 And I think that Bob will agree with
8 me that there's been so many great things done
9 up at Nay Aug Park. So let's again, not
10 shortchange ourselves here. Let's go big with
11 this I think.

12 MR. GATTENS: I wholeheartedly agree
13 because I'll just give you an example of this
14 past year, January 1st to December 31st, we had
15 zero vandalism in Nay Aug Park, no graffiti, no
16 breakage, natural wear and tear but not
17 vandalism. And part of that is because there's
18 10-fold people using that park now.

19 Part of it because of the pandemic,
20 but part of it because it's become a little bit
21 of a destination for walkers or joggers because
22 it's clean and it's safe. And that is due
23 largely to the neighbors and the people
24 utilizing the park, not as much as the board or
25 the city workers.

1 So it goes back to what you say, I
2 think if we put something that's upscale and
3 everything and the people use it will
4 appreciate it, it will be taken care of up
5 there. So I do agree with what you're saying
6 there.

7 MR. GAUGHAN: Anyone else? Okay.
8 All right. Thank you very much. We appreciate
9 the presentation. And, Eileen and members of
10 the administration, we look forward to working
11 with you on this and, you know, being really
12 aggressive to get this done and it's an
13 exciting time for the City.

14 MR. GATTENS: Thank you.

15 MR. HEWES: Thank you everyone.

16 MR. GAUGHAN: Okay. And I know,
17 Councilman Schuster, you had -- Eileen, do you
18 mind answering a question about grants?

19 MS. CIPRIANI: Sure, if I can.

20 MR. GAUGHAN: Thank you.

21 MR. SCHUSTER: I know we were -- the
22 City was looking to the county. We were
23 applying for a lot of grants and the county was
24 in charge of dispersing that money. But one
25 thing I was trying to find out and I think

1 because of the timeline involved with it, I
2 felt I needed to hold you up for a minute to
3 talk about it is PEMA funds.

4 I know that PEMA and FEMA have given
5 the COVID disaster a disaster relief number
6 DR-4506. Have we applied for any of those
7 funds or do we plan on applying for any of
8 those PEMA or FEMA funds?

9 MS. CIPRIANI: Yes, actually Chief
10 Lucas had been working on that. The problem
11 came in is what PEMA is willing to fund and
12 reimburse for is exact same items that the
13 county was reimbursing for. And obviously we
14 can't take money from two different tracks.

15 So I could check back with the Chief
16 to see what we did -- were able to get from
17 them. But I don't think we were overly
18 successful just because of those factors.

19 MR. SCHUSTER: Okay. Yeah, I know
20 with the -- I think with the PEMA, the only
21 thing was I think the municipality had to spend
22 more than \$3,300, which I know we've definitely
23 done that. Would it have been --

24 MS. CIPRIANI: Everyone wanted to
25 fund for PP or protective equipment. So

1 everyone wanted to reimburse for that. And you
2 could only reimburse from one source.

3 MR. SCHUSTER: So would that have
4 been something we could have applied to both
5 sources and whoever covered it we could have
6 maybe reallocated some of the monies or --

7 MS. CIPRIANI: Right, so what we did
8 was, any of the receipts that we did not get
9 covered from the county, I gave those to Chief
10 Lucas and he turned them into PEMA. So I'll
11 check with the Chief to see if there was
12 success. But as I said, the county basically
13 covered many of the items that would have been
14 acceptable under PEMA's funding too.

15 MR. SCHUSTER: Okay. And I know
16 recently we got word that Mr. Lucas would no
17 longer be our -- I don't know what the term is,
18 emergency manager or emergency coordinator.
19 Have we updated as to who that is and is
20 Council -- did Council appoint that position as
21 of yet?

22 MS. CIPRIANI: I'm not certain of
23 the answer to that question. But I could check
24 with the Mayor.

25 MR. GAUGHAN: Yeah, that would be --

1 I know the answer to that. That is John Judge.
2 The emergency management coordinator the way
3 that it was set up was automatically the Fire
4 Chief. Al Lucas just stayed on in that role I
5 think kind of a transition until -- a
6 transitionary period because he had already
7 been doing it for so long. But I know John
8 Judge is now in that role.

9 MR. SCHUSTER: Yeah, that's correct.
10 I didn't know if we had to -- if Council had to
11 make a move on that or if that was something
12 that was --

13 MR. GAUGHAN: No. No, I don't think
14 we have to do anything there.

15 MR. SCHUSTER: So, yeah, at this
16 point in time I think the first step is
17 switching over to Mr. Judge on the PEMA portal
18 and see what we could apply for there. I know
19 there's funds there that, you know what I mean,
20 it would be a shame to leave them on the table.

21 MS. CIPRIANI: Sure. We'll check
22 with the Chief.

23 MR. SCHUSTER: Thank you.

24 MR. GAUGHAN: Anyone else?

25 MS. CIPRIANI: Any other questions?

1 MR. SCHUSTER: That was all from me.

2 MS. CIPRIANI: Okay. Thank you.

3 MR. GAUGHAN: Eileen, thank you very
4 much. As always, we appreciate it. Thank you.
5 Bye-bye. Mrs. Reed?

6 MS. REED: Thank you. FIFTH ORDER.
7 5-A. MOTIONS.

8 MR. GAUGHAN: Councilman Schuster,
9 any motions or comments?

10 MR. SCHUSTER: I think the only
11 thing I'd like to do is possibly Mr. Deeley
12 spoke about, you know, taking a look at the
13 reopening plan for City Hall. Maybe we could
14 send correspondence over to the Mayor and the
15 administration and see where they are with that
16 just to get a timeline and see what their plans
17 are for the future.

18 MR. GAUGHAN: Well, I think he said
19 that they were going by the state -- whatever
20 the state guidelines were. So, I mean --

21 MR. SCHUSTER: Yeah, he also said
22 they were -- they were running their own
23 checklist I think to see if they were ready. I
24 forget what terminology he used. I felt like
25 they were running through their own process of

1 reopening as well that would coincide with
2 that.

3 MR. GAUGHAN: Okay. Anything else?

4 MR. SCHUSTER: That's all.

5 MR. GAUGHAN: Councilman McAndrew,
6 any motions or comments?

7 MR. MCANDREW: I do. So about two
8 weeks ago on top of Rockwell Avenue someone
9 dumped a bunch of mattresses, chairs, garbage.
10 I reached out to the first shift dispatcher and
11 he politely said I will forward this
12 information onto Mr. Jenkins, the head of -- or
13 the supervisor of DPW.

14 What I would like to do is have,
15 Mrs. Reed, please if you would do this for me
16 actually send a letter because I haven't heard
17 from anybody yet or nothing has been done.
18 It's at the top of Rockwell Avenue right across
19 from the entrance to Career Technology Center.
20 There's a bunch of stuff illegally dumped
21 there.

22 So if we could please have them
23 follow up on that and get me some type of
24 answer because initially I wasn't sure who was
25 responsible. I know it's garbage so that's why

1 I called the dispatcher. He said, no, we take
2 care of that but the supervisor has to either
3 take a look or approve it. I'm just waiting on
4 that. Hopefully he needs a reminder that he
5 didn't get the message. All right, Mrs. Reed?
6 Thank you.

7 And secondly, so as Chairman of the
8 Committee on Public Safety, I would like to
9 recognize the Scranton Police Department and
10 the Fire Department for their valiant efforts
11 this week. The first one being the police we
12 saw today that the Street Crimes Unit
13 apprehended a person with a gun, took another
14 gun off the street. The serial numbers were
15 filed off so great job by them.

16 Also, the fire department for
17 rescuing a cat that was in a tree for four
18 days. I don't know about you guys how old you
19 are, but when I was young I remember hearing
20 that the police and the firemen, you know, they
21 rescue cats out of a tree. And I actually got
22 to see it this week, which I thought was pretty
23 cool. So I'd like to commend them on their
24 great work as always. And that is all I have.

25 MR. GAUGHAN: Thank you, Councilman

1 McAndrew. Dr. Rothchild, any motions or
2 comments?

3 DR. ROTHCHILD: No, not at this
4 time.

5 MR. GAUGHAN: Okay. Thank you.
6 And, Councilman Donahue, any motions or
7 comments?

8 MR. DONAHUE: Just one quick
9 comment. Miss Reed, would you be able to send
10 correspondence to the DPW Director and the
11 Police Chief regarding the issue with trucks
12 continuously hitting bridges throughout the
13 City?

14 I know the one on Main at the bottom
15 of Euclid for the Central Expressway, I think
16 that's been hit like four times in the past
17 week. So we need to figure out something to do
18 to stop that from happening again. I know the
19 one on South Washington Avenue has been hit
20 multiple times too.

21 So maybe we could set up a meeting
22 to try to see what we could do to, you know,
23 get this to stop happening. And that's all I
24 have under Fifth Order for right now. Thank
25 you.

1 MR. GAUGHAN: Thank you. Two quick
2 things, just for the residents on Third Avenue
3 I know I mentioned this last week or the week
4 before. There is legislation that's coming to
5 make Third Avenue a one way from Elm Street
6 down to Broadway which should lessen some of
7 the problems there and also no parking on the
8 one side of Third Avenue from Luzerne Street to
9 Broadway so that should also help.

10 So the -- I've been in touch with
11 the neighbors out there. And I know that
12 should be coming soon. Also, I received a
13 message from a resident with two questions,
14 Mrs. Reed, if you could just find out and get
15 an update on the Street Sign Program in the
16 City.

17 I know there's been a lot of
18 progress made over the last two years on that.
19 There are still a lot of street signs that are
20 faded and need to be replaced. I do know the
21 City was going for a grant funding to replace
22 all of those signs. And they've been
23 identified through the Street Sign Program that
24 Council had passed a few years ago.

25 But if you could just get a general

1 update on that for the resident. And then this
2 resident also wanted to know the list of
3 properties that are going to be demolished so
4 far in 2021 if there was a list already or a
5 strategy by neighborhood. And that's all I
6 have.

7 MS. REED: Thank you. 5-B. FOR
8 INTRODUCTION – AN ORDINANCE – AUTHORIZING THE
9 MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE
10 CITY TO EXECUTE AND ENTER INTO AN AGREEMENT
11 WITH COMMUNITY MEDICAL CENTER TO UNDERTAKE A
12 STREET, SIDEWALK AND CURB IMPROVEMENT PROJECT
13 AND GRANTING A TEMPORARY CONSTRUCTION EASEMENT.
14 (EMERGENCY CERTIFICATE ATTACHED.)

15 MR. GAUGHAN: At this time I'll
16 entertain a motion that Item 5-B be introduced
17 into its proper committee.

18 MR. DONAHUE: So moved.

19 MR. MCANDREW: Second.

20 MR. GAUGHAN: On the question? On
21 the question, this is just to approve a
22 temporary construction easement so that the
23 City gives the rights to the hospital up there
24 to do this project.

25 This is \$300,000 that's going to be

1 invested in that area. This actually is going
2 to also I think help Nay Aug Park. It's that
3 whole corridor up there. So there's going to
4 be improvements to the sidewalks, some of the
5 street signs.

6 It will improve public safety, the
7 crosswalks. So it's a great project. And I'll
8 be in favor of this legislation. Anyone else?
9 All those in favor of introduction signify by
10 saying aye.

11 MR. SCHUSTER: Aye.

12 MR. MCANDREW: Aye.

13 MR. DONAHUE: Aye.

14 DR. ROTHCHILD: Aye.

15 MR. GAUGHAN: Aye. Opposed? The
16 eyes have it and so moved.

17 MR. DONAHUE: I make a motion to
18 suspend the rules to move 5-B to Sixth and
19 Seventh Orders based on the attached emergency
20 certificate.

21 MR. MCANDREW: Second.

22 MR. GAUGHAN: There's a motion on
23 the floor and a second to move Item 5-B to
24 Sixth and Seventh Orders. On the question?

25 MR. DONAHUE: On the question, I

1 know we brought this up multiple times how
2 we're not, you know, big fans of these
3 emergency declarations of, you know, there's no
4 reason to vote against this because it's money
5 coming into the City. But, I mean, this was
6 brought to us I think it was over two years
7 ago.

8 I don't know if Councilman Gaughan
9 remembers where they came in and presented this
10 idea to us. So someone dropped the ball here
11 for this, you know, this to be done by
12 emergency certificate. And I just wanted to
13 make that point.

14 MR. GAUGHAN: Very good. Anyone
15 else? All those in favor signify by saying
16 aye.

17 MR. SCHUSTER: Aye.

18 MR. MCANDREW: Aye.

19 MR. DONAHUE: Aye.

20 DR. ROTHCHILD: Aye.

21 MR. GAUGHAN: Aye. Opposed? The
22 ayes have it and so moved.

23 MS. REED: 5-C. FOR INTRODUCTION –
24 AN ORDINANCE – AMENDING FILE OF THE COUNCIL
25 NO. 41, 2020 ENTITLED “AMENDING FILE OF THE

1 COUNCIL NO. 11, 1976, ENTITLED 'AN ORDINANCE
2 (AS AMENDED) ENACTING, IMPOSING A
3 TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT
4 OF TWO PERCENT (2%) ON EARNED INCOME AND NET
5 PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS
6 AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF
7 SCRANTON, OR NON-RESIDENTS OF THE CITY OF
8 SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR
9 BUSINESS CONDUCTED WITHIN THE CITY
10 OF SCRANTON, REQUIRING THE FILING OF RETURNS BY
11 TAXPAYERS SUBJECT TO THE TAX; REQUIRING
12 EMPLOYERS TO COLLECT THE TAX AT SOURCE;
13 PROVIDING FOR THE ADMINISTRATION, COLLECTION
14 AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING
15 PENALTIES FOR THE VIOLATIONS', BY RE-ENACTING
16 THE IMPOSITION OF THE WAGE TAX AT
17 TWO AND FOUR TENTHS (2.4%) PERCENT ON EARNED
18 INCOME FOR RESIDENTS AND ONE (1%) PERCENT ON
19 EARNED INCOME FOR NON-RESIDENTS OF THE CITY OF
20 SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR
21 BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON
22 FOR THE YEAR 2021 AND THE SAME SHALL REMAIN IN
23 FULL FORCE AND EFFECT ANNUALLY THEREAFTER" BY
24 EXTENDING THE DATE THAT THE TAXES ARE DUE AND
25 OWING FOR GENERAL REVENUE PURPOSES ON EARNED

1 INCOME FROM ITS ORIGINAL DUE DATE OF APRIL 15,
2 2021 TO MAY 17, 2021 IN CONFORMITY WITH THE
3 UNITED STATES TREASURY DEPARTMENT AND THE
4 COMMONWEALTH OF PENNSYLVANIA.

5 MR. GAUGHAN: At this time I'll
6 entertain a motion that Item 5-C be introduced
7 into its proper committee.

8 MR. DONAHUE: So moved.

9 MR. SCHUSTER: Second.

10 MR. GAUGHAN: On the question?

11 MR. DONAHUE: On the question, I
12 just want to point out that this is just being
13 done to match up the due date with the IRS
14 deadline that was extended until March 17th.
15 We did this last year too when the IRS extended
16 the tax deadline. It just makes sense for them
17 to be at the same time.

18 MR. GAUGHAN: Very good. Thank you.
19 Anyone else? All those in favor of
20 introduction signify by saying aye.

21 MR. SCHUSTER: Aye.

22 MR. MCANDREW: Aye.

23 MR. DONAHUE: Aye.

24 DR. ROTHCHILD: Aye.

25 MR. GAUGHAN: Aye. Opposed? The

1 ayes have it and so moved.

2 MS. REED: 5-D. FOR INTRODUCTION -
3 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
4 NO. 31, 2020 (AS AMENDED), AN ORDINANCE
5 "AUTHORIZING THE CITY OF SCRANTON TO APPROVE
6 THE DESIGNATION OF THE 300 BLOCK OF
7 CENTER STREET AS A ONE-WAY STREET FROM PENN
8 AVENUE TOWARDS WYOMING AVENUE WITH THE SCRANTON
9 POLICE DEPARTMENT TO ENFORCE THE DESIGNATIONS
10 AS REFLECTED IN THE ATTACHED DRAWING, C-4
11 CENTER STREET PARKING" TO CHANGE THE DIRECTION
12 OF THE ONE-WAY TRAVEL FROM WYOMING AVENUE TO
13 PENN AVENUE.

14 MR. GAUGHAN: At this time I'll
15 entertain a motion that Item 5-D be introduced
16 into its proper committee.

17 MR. DONAHUE: So moved.

18 DR. ROTHCHILD: Second.

19 MR. GAUGHAN: On the question?

20 MR. DONAHUE: On the question,
21 Kevin, I meant to bring this up with you before
22 but I just remembered. Shouldn't we be
23 repealing the last designation before we -- and
24 then creating a new designation or a new
25 ordinance in terms of when you codify

1 everything, you know, so it's less confusing?

2 ATTY. HAYES: This would replace it.
3 I can understand it being more -- it being
4 cleaner if we repealed it. This was really the
5 suggested -- and correct me if I'm wrong, Lori,
6 but this was the suggestion of our engineer on
7 how to proceed with this, correct, Lori?

8 MS. REED: To repeal, Attorney
9 Hayes, yes.

10 ATTY. HAYES: Right. So --

11 MR. DONAHUE: Yeah, I think --

12 ATTY. HAYES: I mean, this
13 essentially repeals it. What's your --

14 MR. DONAHUE: Yeah. So it does. It
15 repeals it and then we're -- no --

16 ATTY. HAYES: No, I'm sorry. This
17 amends it essentially.

18 MR. DONAHUE: Yeah, then there's
19 another amendment then to a maintenance
20 agreement. The maintenance agreement could be
21 amended. But in terms of codifying it so when
22 you're, you know, in five years when you're
23 going to search for what this, you know, what
24 legislation gives the right for a one way on
25 Center Street, you know, you're not doing

1 circles around trying to figure out, you know,
2 exactly what the legislation says.

3 ATTY. HAYES: Right. Well, this
4 would be the most -- this will be the final
5 amendment, yeah. This would be the final --
6 you know, you look -- the last amendment, this
7 would be the last amendment to it. Your
8 thought would be to repeal it and do an entire
9 new ordinance?

10 MR. DONAHUE: I mean, that would
11 make it easier in terms of, you know, when you
12 do the actual code.

13 ATTY. HAYES: Okay. All right.
14 Well, let me look into it and see if we could
15 change it that way. We can amend -- we could
16 change the language and allow this to proceed
17 forward and just amended it at the time it's at
18 Seventh Order.

19 MR. DONAHUE: Okay, just because it
20 has it going both ways. So if you amend it,
21 the original language would be there and then
22 the amendment would be under it, right,
23 basically so --

24 ATTY. HAYES: Yes.

25 MR. DONAHUE: It could be confusing

1 for us to make it one way. They proposed a one
2 way of flowing from Penn to Wyoming. Now they
3 are seeing issues in terms of people exiting
4 onto a two-way street and thought it would be
5 more efficient to reverse it and have them exit
6 onto Penn Avenue.

7 So this is that -- that's their
8 request. This originated all from the county
9 and what they're asking to make deliveries
10 there be -- and the traffic flow better in that
11 area.

12 MR. SCHUSTER: Yeah, this should be
13 the final adjustment.

14 ATTY. HAYES: I would assume, yeah.
15 There's only two ways to go. They've gone
16 both.

17 DR. ROTHCHILD: They're not going to
18 come back and say we got to switch it back?

19 ATTY. HAYES: I would hope not.

20 MR. MCANDREW: How many more parking
21 spots do they get out of this with the one way?
22 I have another question. Okay, this is
23 advantageous for their deliveries. But what
24 about the rest of the vendors? I mean, last
25 time we heard from vendors.

1 Is this going to affect other
2 vendors and their deliveries because -- I don't
3 know. I mean, I know we got to vote on it.
4 But I'm going to take a drive by.

5 MR. DONAHUE: Yeah, we probably
6 should reach out to those that reached out to
7 us the last time just to make sure that the
8 changes, you know, the change of direction is
9 okay with --

10 MR. MCANDREW: I'm sure they don't
11 even know it's coming so maybe we should
12 provide that courtesy.

13 ATTY. HAYES: Okay. The big issue
14 last time was the loss -- the biggest
15 consideration was loss of parking spaces I
16 think.

17 MR. DONAHUE: Yeah. So as long as
18 they're still good there.

19 ATTY. HAYES: To me this flow makes
20 more sense to be honest instead of trying to
21 flow -- exit onto Wyoming Avenue and make a
22 left-hand turn or to block the sidewalks there
23 as opposed to just exiting making a right-hand
24 turn on -- or left-hand turn onto Penn Avenue.
25 This seems like it makes more sense from a

1 traffic flow perspective.

2 MR. GAUGHAN: Okay. Anyone else?
3 All those in favor of introduction signify by
4 saying aye.

5 MR. SCHUSTER: Aye.

6 MR. MCANDREW: Aye.

7 MR. DONAHUE: Aye.

8 DR. ROTHCHILD: Aye.

9 MR. GAUGHAN: Aye. Opposed? The
10 ayes have it and so moved.

11 MS. REED: 5-E. FOR INTRODUCTION –
12 A RESOLUTION – AMENDING RESOLUTION NO. 80,
13 2020 (AS AMENDED) ENTITLED “AUTHORIZING THE
14 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO
15 EXECUTE AND ENTER INTO A ROAD MAINTENANCE
16 AGREEMENT BETWEEN THE CITY OF SCRANTON AND
17 LACKAWANNA COUNTY FOR THE PAVING, REPAIR,
18 SNOWPLOWING, SIGNAGE AND ANY OTHER MAINTENANCE
19 DUTIES, AS NEEDED ONCE THE 300 BLOCK
20 OF CENTER STREET HAS BEEN DESIGNATED ONE-WAY”
21 TO REFLECT THE CHANGE IN THE DIRECTION OF THE
22 ONE-WAY TRAVEL FROM WYOMING AVENUE TO PENN
23 AVENUE IN THE REVISED MAINTENANCE AGREEMENT.

24 MR. GAUGHAN: At this time I'll
25 entertain a motion that Item 5-E be introduced

1 into its proper committee.

2 MR. DONAHUE: So moved.

3 MR. SCHUSTER: Second.

4 MR. GAUGHAN: On the question? All
5 those in favor of introduction signify by
6 saying aye.

7 MR. SCHUSTER: Aye.

8 MR. MCANDREW: Aye.

9 MR. DONAHUE: Aye.

10 DR. ROTHCHILD: Aye.

11 MR. GAUGHAN: Aye. Opposed? The
12 eyes have it and so moved.

13 MS. REED: 5-F. FOR INTRODUCTION –
14 A RESOLUTION – AUTHORIZING THE MAYOR AND
15 OTHER APPROPRIATE OFFICIALS OF THE CITY OF
16 SCRANTON TO TAKE ALL NECESSARY ACTIONS TO
17 SUBMIT THE CONSOLIDATED ANNUAL PERFORMANCE
18 EVALUATION REPORT (CAPER) FOR COMMUNITY
19 PLANNING AND DEVELOPMENT PROGRAMS FUNDED UNDER
20 THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
21 PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME)
22 PROGRAM AND EMERGENCY SOLUTIONS GRANTS (ESG)
23 PROGRAM FOR THE PERIOD OF JANUARY 1, 2020
24 THROUGH DECEMBER 31, 2020.

25 MR. GAUGHAN: At this time I'll

1 entertain a motion that Item 5-F be introduced
2 into its proper committee.

3 MR. DONAHUE: So moved.

4 MR. SCHUSTER: Second.

5 MR. GAUGHAN: On the question? All
6 those in favor of introduction signify by
7 saying aye.

8 MR. SCHUSTER: Aye.

9 MR. MCANDREW: Aye.

10 MR. DONAHUE: Aye.

11 DR. ROTHCHILD: Aye.

12 MR. GAUGHAN: Aye. Opposed? The
13 ayes have it and so moved.

14 MS. REED: 5-G. FOR INTRODUCTION -
15 A RESOLUTION - ACCEPTING A DONATION
16 PRESENTED TO THE CITY OF SCRANTON FIRE
17 DEPARTMENT FROM GREGG L. SUNDAY AND JOAN M.
18 SUNDAY IN THE AMOUNT OF \$5000.00 IN MEMORY
19 OF SCRANTON FIREFIGHTER STEPHEN SUNDAY FOR THE
20 PURCHASE OF EQUIPMENT.

21 MR. GAUGHAN: At this time I'll
22 entertain a motion that Item 5-F be introduced
23 into its proper committee -- or 5-G, I'm sorry.

24 MR. DONAHUE: So moved.

25 MR. SCHUSTER: Second.

1 MR. GAUGHAN: On the question? All
2 those in favor of 5-G signify by saying aye.

3 MR. SCHUSTER: Aye.

4 MR. MCANDREW: Aye.

5 MR. DONAHUE: Aye.

6 DR. ROTHCHILD: Aye.

7 MR. GAUGHAN: Aye. Opposed? The
8 ayes have it and so moved.

9 MS. REED: SIXTH ORDER. 6-A.
10 READING BY TITLE - FILE OF THE COUNCIL NO. 60,
11 2021 - AN ORDINANCE - ESTABLISHING A "NO
12 PARKING" ZONE FOR ECMS 102866 SR 3013 SECTION
13 203, CITY OF SCRANTON MAIN AVENUE SIGNAL
14 PROJECT, MAIN AVENUE (SR 3013) AND ORAM
15 STREET - PERMIT #7905.

16 MR. GAUGHAN: You've heard reading
17 by title of Item 6-A. What is your pleasure?

18 MR. DONAHUE: I move that Item 6-A
19 pass reading by title.

20 MR. SCHUSTER: Second.

21 MR. GAUGHAN: On the question?

22 MR. MCANDREW: Yes, on the
23 question --

24 MR. DONAHUE: On the question --

25 MR. MCANDREW: Oh, sorry.

1 MR. DONAHUE: Go ahead, Mark.

2 MR. MCANDREW: All right. So on the
3 question, so I'm still not sold on this because
4 I posed a couple questions. I'm waiting to
5 hear from PennDOT. You know, I drive by this
6 every day this intersection every day. I drive
7 up Oram quite a bit. And I'm still not sold on
8 this. So I'm voting yes tonight to move it
9 forward so in case I have to vote no, it will
10 be there to vote no.

11 But I want to piggyback on what
12 Councilman Donahue said. So a block -- so
13 there's all of this concern about safety and --
14 for this intersection and, you know, I don't
15 think buses even go up it anymore. I could be
16 wrong. But I'm hearing they're not.

17 But all this concern about
18 intersection safety where I see there's no
19 problems. All right? I live here my whole
20 life. I've never seen a problem there. But a
21 block away, guess what's a block away, a bridge
22 where trucks are getting under as like
23 Councilman Donahue brought up.

24 So why don't we take a look at the
25 bridge more so than the intersection? It's

1 2021. I use GPS even instead of a map to
2 drive. Maybe somewhere in there it should be,
3 you know, bridges should be, you know, red
4 flagged about the height versus your truck and
5 for your truck driver.

6 I don't know if there is -- if an
7 app was developed it would make a lot of money.
8 But I just think I should be more focused
9 (audio interruption.)

10 MR. GAUGHAN: Okay. Thanks, Mark.
11 Anyone else on the question? Kyle?

12 MR. DONAHUE: Yeah, so we did set up
13 a call with the representative from PennDOT for
14 Thursday afternoon. So if anyone else has any
15 additional questions just let me know and we'll
16 make sure we get answers to those before final,
17 you know, before we consider final passage next
18 week or, you know, future weeks because I do
19 think there will need to be, you know, from my
20 perspective at least some changes to this
21 because like Mark said, some of them are just a
22 little ridiculous, but, you know --

23 MR. SCHUSTER: Mr. Donahue, I'll
24 contact you to get on that call. I wouldn't
25 mind being on that call as well. I mean, my

1 concern with this is, like I said last week, I
2 was down on one intersection not similar to
3 this but on the corner of Putnum and Main in
4 North Scranton.

5 And once some of that parking got
6 pushed back. It displaces a lot of residents.
7 And in this area we're talking about, there are
8 a lot of apartments and mobile homes in there
9 that it think is going to displace a lot of
10 those cars further up that block and down onto
11 Hyde Park Avenue.

12 MR. GAUGHAN: Anyone else on the
13 question? All those in favor signify by saying
14 aye.

15 MR. SCHUSTER: Aye.

16 MR. MCANDREW: Aye.

17 MR. DONAHUE: Aye.

18 DR. ROTHCHILD: Aye.

19 MR. GAUGHAN: Aye. Opposed? The
20 ayes have it and so moved.

21 MS. REED: 6-B. READING BY TITLE -
22 FILE OF THE COUNCIL NO. 61, 2021 - AN
23 ORDINANCE - CREATING CHAPTER 426 OF THE HOME
24 RULE CHARTER ENTITLED "SEXUAL ORIENTATION OR
25 GENDER CONVERSION EFFORTS."

1 MR. GAUGHAN: You've heard reading
2 by title of Item 6-B. What is your pleasure?

3 MR. DONAHUE: I move that Item 6-B
4 pass reading by title.

5 DR. ROTHCHILD: Second.

6 MR. GAUGHAN: On the question? All
7 those in favor signify by saying aye.

8 MR. SCHUSTER: Aye.

9 MR. MCANDREW: Aye.

10 MR. DONAHUE: Aye.

11 DR. ROTHCHILD: Aye.

12 MR. GAUGHAN: Aye. Opposed? The
13 ayes have it and so moved.

14 MS. REED: 6-C - FORMALLY 5-B.
15 READING BY TITLE - FILE OF THE COUNCIL NO. 62,
16 2021 - AN ORDINANCE - AUTHORIZING THE MAYOR AND
17 OTHER APPROPRIATE OFFICIALS OF THE CITY TO
18 EXECUTE AND ENTER INTO AN AGREEMENT WITH
19 COMMUNITY MEDICAL CENTER TO UNDERTAKE A
20 STREET, SIDEWALK AND CURB IMPROVEMENT PROJECT
21 AND GRANTING A TEMPORARY CONSTRUCTION EASEMENT.
22 (EMERGENCY CERTIFICATE ATTACHED.)

23 MR. GAUGHAN: You've heard reading
24 by title of Item 6-C. What is your pleasure?

25 MR. DONAHUE: I move that Item 6-C

1 pass reading by title.

2 MR. MCANDREW: Second.

3 MR. GAUGHAN: On the question? All
4 those in favor signify by saying aye.

5 MR. SCHUSTER: Aye.

6 MR. MCANDREW: Aye.

7 MR. DONAHUE: Aye.

8 DR. ROTHCHILD: Aye.

9 MR. GAUGHAN: Aye. Opposed? The
10 ayes have it and so moved.

11 MS. REED: SEVENTH ORDER. 7-A. FOR
12 CONSIDERATION BY THE COMMITTEE ON RULES - FOR
13 ADOPTION - FILE OF THE COUNCIL NO. 59, 2021 -
14 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
15 OFFICIALS OF THE CITY OF SCRANTON TO ENTER
16 INTO A LEASE AGREEMENT WITH THE WEST SCRANTON
17 LITTLE LEAGUE, INC. AND SCRANTON SCHOOL
18 DISTRICT FOR THE USE OF CITY OWNED PROPERTY AS
19 MORE FULLY DESCRIBED IN THE LEASE AGREEMENT
20 ATTACHED HERETO AS EXHIBIT "A" FOR A FIVE (5)
21 YEAR PERIOD COMMENCING APRIL 15, 2021 AND
22 ENDING APRIL 14, 2026.

23 MR. GAUGHAN: As Chairperson for the
24 Committee on Rules, I recommend final passage
25 of Item 7-A.

1 MR. SCHUSTER: Second.

2 MR. DONAHUE: So moved.

3 MR. GAUGHAN: On the question. Roll
4 call, please.

5 MS. CARRERA: Mr. Schuster.

6 MR SCHUSTER: Yes.

7 MS. CARRERA: Mr. McAndrew.

8 MR. MCANDREW: Yes.

9 MS. CARRERA: Dr. Rothchild.

10 DR. ROTHCHILD: Yes.

11 MS. CARRERA: Mr. Donahue.

12 MR. DONAHUE: Yes.

13 MS. CARRERA: Mr. Gaughan.

14 MR. GAUGHAN: Yes. I hereby declare
15 Item 7-A legally and lawfully adopted.

16 MS. REED: 7-B. FOR CONSIDERATION
17 BY THE COMMITTEE ON RULES - FOR ADOPTION -
18 RESOLUTION NO. 147, 2021 - AUTHORIZING THE
19 MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE
20 CITY OF SCRANTON TO EXECUTE AND ENTER INTO A
21 COLLECTIVE BARGAINING AGREEMENT WITH THE CITY
22 OF SCRANTON CLERICAL WORKERS AND LOCAL LODGE
23 NO. 2462 AFFILIATED WITH THE DISTRICT 1 OF THE
24 INTERNATIONAL ASSOCIATION OF MACHINISTS AND
25 AEROSPACE WORKERS, AFL-CIO IN ACCORDANCE WITH

1 THE TERMS AND PROVISIONS OF A MEMORANDUM OF
2 UNDERSTANDING WITH AN EFFECTIVE DATE OF JANUARY
3 1, 2021 AND RATIFIED BY THE MEMBERSHIP.

4 MR. GAUGHAN: As Chairperson for the
5 Committee on Rules, I recommend final passage
6 of Item 7-B.

7 MR. DONAHUE: Second.

8 MR. GAUGHAN: On the question? On
9 the question, I posed questions last week to
10 the administration. Those questions were
11 answered. The Business Administrator Carl
12 Deeley provided -- which I provided Council a
13 breakdown of the costs and savings associated
14 with Collective Bargaining Agreement. So I'm
15 comfortable moving forward. Anyone else on the
16 question? Roll call, please.

17 MS. CARRERA: Mr. Schuster.

18 MR SCHUSTER: Yes.

19 MS. CARRERA: Mr. McAndrew.

20 MR. MCANDREW: Yes.

21 MS. CARRERA: Dr. Rothchild.

22 DR. ROTHCHILD: Yeah.

23 MS. CARRERA: Mr. Donahue.

24 MR. DONAHUE: Yes.

25 MS. CARRERA: Mr. Gaughan.

1 MR. GAUGHAN: Yes. I hereby declare
2 Item 7-B legally and lawfully adopted.

3 MS. REED: 7-C. FOR CONSIDERATION
4 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
5 ADOPTION - RESOLUTION NO. 148, 2021 - ACCEPTING
6 A DONATION PRESENTED TO THE CITY OF SCRANTON
7 HUMAN RESOURCES DEPARTMENT FROM TYRONE HOLMES,
8 24 PEN Y BRYN DRIVE, SCRANTON, PENNSYLVANIA
9 TO DEFRAY THE COST OF THE APPLICATION FEE FOR A
10 CANDIDATE OF THE SCRANTON FIRE DEPARTMENT CIVIL
11 SERVICE EXAMINATION.

12 MR. GAUGHAN: What is the
13 recommendation of the Chairperson for the
14 Committee on Public Safety?

15 MR. MCANDREW: As Chairperson for
16 the Committee on Public Safety, I recommend
17 final passage of Item 7-C.

18 MR. SCHUSTER: Second.

19 MR. GAUGHAN: On the question?

20 MR. MCANDREW: On the question,
21 Mr. Holmes, thank you for this generous
22 gesture. That's all I have. Thank you.

23 MR. GAUGHAN: Thank you. Anyone
24 else? Roll call, please.

25 MS. CARRERA: Mr. Schuster.

1 MR. SCHUSTER: Yes.

2 MS. CARRERA: Mr. McAndrew.

3 MR. MCANDREW: Yes.

4 MS. CARRERA: Dr. Rothchild.

5 DR. ROTHCHILD: Yes.

6 MS. CARRERA: Mr. Donahue.

7 MR. DONAHUE: Yes.

8 MS. CARRERA: Mr. Gaughan.

9 MR. GAUGHAN: Yes. I hereby declare
10 Item 7-C legally and lawfully adopted.

11 MS. REED: 7-D. PREVIOUSLY TABLED.
12 NO. 134, 2021 – APPOINTMENT OF LEONARD
13 NAMIOTKA, 1130 PHILO STREET, SCRANTON,
14 PENNSYLVANIA, 18508, TO THE POSITION OF
15 SUPERINTENDENT OF POLICE FOR THE CITY OF
16 SCRANTON EFFECTIVE FEBRUARY 17, 2021.

17 MR. GAUGHAN: As Chairperson for the
18 Committee on Rules, I recommend a final vote of
19 Item 7-D.

20 MR. MCANDREW: Second.

21 MR. GAUGHAN: On the question?

22 MR. MCANDREW: Yes, on the question,
23 I'm sorry. So on the question, I know we
24 played a little volleyball with interim and
25 acting, the terminology, they mean the same to

1 me. All right, the Administrative Code in my
2 mind was violated.

3 And I feel bad for Chief Namiotka.
4 I'm voting yes for him. And he deserves that
5 vote because not only did it go past 35 days,
6 it's over 150 now. And he was in some type of
7 limbo waiting for the appointment. But I'm
8 always, you know, a Council person of process
9 and procedure.

10 And it wasn't followed this time.
11 I'm sorry, I disagree with the administration.
12 And, you know, and one of the reasons where it
13 took so long to appoint because of great
14 turmoil in police departments throughout the
15 country.

16 That doesn't make any sense to me.
17 There should have been a sense of urgency to
18 appoint. So I'm happy to appoint Chief
19 Namoitka tonight. I wish him well and best of
20 luck. And that's all I have.

21 MR. GAUGHAN: Thank you. Anyone
22 else on the question? On the question, just a
23 few things. So this has been something that
24 had been as Councilman McAndrew said volleyed
25 back and forth between the Council and the

1 administration.

2 It's an issue that had been raised
3 several times with the administration. And we
4 did not receive really any clear answer on it.
5 So Council and our Solicitor Kevin Hayes has
6 drafted a letter that will be sent to the Mayor
7 tomorrow morning just detailing our position on
8 this.

9 And I'm not going to read the whole
10 letter into the record. But I'll just touch on
11 some -- what I think are some important points.
12 There is no allowance as we've said now for
13 this third designation of interim under the
14 City's code.

15 There's either acting or permanent.
16 And that was the hang up from the very
17 beginning on this whole thing. The -- Council
18 really strives to take a very careful and
19 deliberate approach to fulfilling our
20 legislative and oversight functions.

21 We want to make sure that the
22 Administrative Code is being followed when
23 we're asked to exercise our appointment powers
24 under the code. So it's for that reason that
25 Council raised the -- that the issue of acting

1 and interim. It says clearly that the City's
2 department head serving in an acting capacity
3 in excess of the 35-day period would be a
4 violation of administrative code.

5 You either have to be appointed
6 permanently or dismissed which didn't happen in
7 this case. We all agree and have agreed from
8 the beginning that Chief Namiotka is qualified
9 for the position. That was never in question.

10 But we -- and I'm going to vote for
11 this tonight because we don't want to have our
12 police department or the public suffer as a
13 result of what amounted to a procedural error
14 on the part of the administration. So in this
15 instance to ensure the public safety, that
16 outweighs in our minds the procedural missteps
17 relating to the appointment.

18 And I think it probably could have
19 been cleared up earlier on. But there were
20 several instances where we didn't get any sort
21 of response, you know, so that was an issue.
22 We do make very clear in this letter that
23 moving forward when an appointment comes in
24 front of us across our desks, we are going to
25 hold all acting and interim appointments to

1 35-days of service which is in the
2 Administrative Code.

3 Now, the Mayor has made the point
4 that 35 days isn't enough. And we've stated on
5 more than one occasion that Council will be
6 open to considering more than 35 days. But
7 there would have to be legislation to amend the
8 Administrative Code.

9 So for those reasons, I'm going to
10 vote yes on this. And then we'll send this
11 letter tomorrow to the Mayor again stating our
12 case and our reasons why and we'll put that in
13 Third Order for the public to take a look at
14 next week. Anyone else on the question?

15 MR. SCHUSTER: So I don't have to
16 say too much. I echo what both Mr. McAndrew
17 and Mr. Gaughan are saying. I agree with the
18 letter wholeheartedly. I just didn't want to
19 duplicate what we're saying too much. But just
20 I'll support this but -- because of the fact
21 that we don't want the public and we don't want
22 the police department to suffer for those
23 procedural missteps.

24 MR. GAUGHAN: Thank you. Anyone
25 else on the question? Roll call, please.

1 MS. CARRERA: Mr. Schuster.

2 MR SCHUSTER: Yes.

3 MS. CARRERA: Mr. McAndrew.

4 MR. MCANDREW: Yes.

5 MS. CARRERA: Dr. Rothchild.

6 DR. ROTHCHILD: Yes.

7 MS. CARRERA: Mr. Donahue.

8 MR. DONAHUE: Yes.

9 MS. CARRERA: Mr. Gaughan.

10 MR. GAUGHAN: Yes. I hereby declare
11 Item 7-D legally and lawfully adopted.

12 MS. REED: 7-E - FORMALLY 6-C. FOR
13 CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS
14 FOR ADOPTION - FILE OF THE COUNCIL NO. 62,
15 2021 - AUTHORIZING THE MAYOR AND OTHER
16 APPROPRIATE OFFICIALS OF THE CITY TO EXECUTE
17 AND ENTER INTO AN AGREEMENT WITH COMMUNITY
18 MEDICAL CENTER TO UNDERTAKE A STREET, SIDEWALK
19 AND CURB IMPROVEMENT PROJECT AND GRANTING A
20 TEMPORARY CONSTRUCTION EASEMENT. (EMERGENCY
21 CERTIFICATE ATTACHED.)

22 MR. GAUGHAN: What is the
23 recommendation of the Chairperson for the
24 Committee on Public Works?

25 MR. DONAHUE: As Chairperson for the

1 Committee on Public Works, I recommend final
2 passage of Item 7-E.

3 MR. SCHUSTER: Second.

4 MR. GAUGHAN: On the question? Roll
5 call, please.

6 MS. CARRERA: Mr. Schuster.

7 MR. SCHUSTER: Yes.

8 MS. CARRERA: Mr. McAndrew.

9 MR. MCANDREW: Yes.

10 MS. CARRERA: Dr. Rothchild.

11 DR. ROTHCHILD: Yes.

12 MS. CARRERA: Mr. Donahue.

13 MR. DONAHUE: Yes.

14 MS. CARRERA: Mr. Gaughan.

15 MR. GAUGHAN: Yes. I hereby declare
16 Item 7-E legally and lawfully adopted.

17 MS. REED: EIGHTH ORDER. OLD
18 BUSINESS. Nothing at this time.

19 MR. GAUGHAN: If there is no further
20 business, I'll --

21 ATTY. HAYES: Mr. Gaughan, I'm sorry
22 to interrupt you. Did you announce that there
23 was an executive session?

24 MR. GAUGHAN: Yes, I believe I did.

25 ATTY. HAYES: Okay. I just want to

1 make sure.

2 MR. GAUGHAN: Lori, did I announce
3 that?

4 MS. REED: Yes, you did, Councilman
5 Gaughan, immediately after the roll call.

6 ATTY. HAYES: Sorry, I just want to
7 make sure.

8 MR. GAUGHAN: No, that's okay.
9 Better safe than sorry. I couldn't even
10 remember if I did. Thank you. If there's --
11 any other business? Okay. If there's no
12 further business, I'll entertain a motion to
13 adjourn.

14 MR. DONAHUE: Motion to adjourn.

15 MR. GAUGHAN: Okay. Thank you.
16 Have a nice Easter everyone. Thanks.

17 MR. MCANDREW: Happy Easter, guys.

18 ATTY. HAYES: Happy Passover and
19 Easter.

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C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me of the above-cause and that this copy is a correct transcript of the same to the best of my ability.

Maria McCool, RPR
Official Court Reporter

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